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No. 171026



Henry Thomas Buckle.

A *Scotland, Church of*
the General Assembly
COLLECTION
OF SOME ²
ACTS
OF THE
General Assembly
OF THE
CHURCH
OF
SCOTLAND;

Since the Year 1690, for Promoting of
Piety and Vertue, and for Suppressing
of Vice, Profaneness and Immorality,
and Censuring Delinquents;

Together with

Her Majesty's Proclamation, and an
Abbreviate of the Laws against Profani-
ty and Vice.

Edinburgh, Printed by the Relict of *Andrew Anderson,* ★
Printer to the Church of Scotland, MDCCXIV.

A
COLLECTION
OF SOME
ACTS
OF THE
GENERAL ASSEMBLY
OF THE
CHURCH
OF
SCOTLAND.

For the Year 1800, for Promoting of
Piety and Virtue, and for Supplanting
of Vice, Prophaness, and Immorality,
and Censuring Delinquents;

Together with

His Majesty's Proclamation, and an
Abrogation of the Laws against Prophan-
cy and Vice.

Printed by the Relief of the Poor Society,
Printers to the General Assembly, 1800.

ACTS

Of the General Assembly Against Profaneness, &c.

Edinburgh, 16 April 1694.

THe General Assembly of this National Church, Taking into serious Consideration, how much GOD is Dishonoured by the Impiety and Profaneness that aboundeth in this Nation, in profane and idle Swearing, Cursing, Sabbath-breaking, Neglect and Contempt of Gospel Ordinances, Mocking of Piety and Religious Exercises, Fornication, Adultery, Drunkenness, Blasphemy, and other gross and abominable Sins and Vices: And how much it concerns the Honour and Glory of GOD, that the same be Restrained and Suppressed, and that Virtue and Godliness be Encouraged: And also what may be the Remedies of these detestable Sins: DOETH therefore Exhort

and Require, That Ministers and all who Fear GOD, have on their Hearts, a deep Humbling and Soul affecting Sense of these Evils, and be much in Prayer and Supplication before GOD on this Account. And that all the Ministers of this Church preach plainly and faithfully against these Vices, and Denounce the threatned Judgments of GOD against such Evil Doers. And deal earnestly and much with their Consciences, to bring them to a Conviction and Sense of their Sin and Danger. As also the General Assembly appoints, That Church Judicatories do faithfully exercise Church-Discipline against all such Scandalous Offenders, with that Gravity, Prudence and Meekness of Wisdom, as by the Blessing of GOD, may prove an effectual Mean of Reforming and Recovering the Guilty, and of Preventing the like Sins in Others.

And further, The General Assembly Requires that Care be taken in the Receiving of Servants, that they have Testimonials of their Honest and Christian Behaviour; And that the same be Required of all Others, who Plitt and Remove from one Parish to another.

And also the General Assembly appoints,
That the Ministers and Elders in each
Congregation take Care that the Worship
of GOD be performed in the several Fa-
milies thereof: And if any Family be
found which neglecteth this necessary
Duty, the Head of that Family is to be
Gravely, Seriously and Earnestly Admo-
nished, until he amend his Fault. And
Recommends to Ministers and Kirk-Ses-
sions, That none be Ruling Elders, who
make not Conscience of this necessary and
unquestionable Duty: And that no grossly
Ignorant and Scandalous Person be ad-
mitted to the *LORD's Table*.

And likewise the General Assembly
Recommends to all Ministers and Kirk-
Sessions, That they carefully apply to the
several Magistrates of their Bounds, that
the Acts of Parliament against Profane-
ness, may be put in Execution, and par-
ticularly the Act of Parliament *June 15.*
1693, Intituled, Act against Profaneness.

And Lastly, The General Assembly
Ordains that this present Act be publick-
ly Read and Intimate in all Churches.

At

At Edinburgh, January 7. 1697.

THE General Assembly Considering, how necessary a Duty it is, That the Worship of GOD, and calling upon his Name be daily performed, in all Families ; Do Recommend it to Ministers and Elders in each Congregation, to take Care thereof, and it being the Duty of all Ruling Elders, and Deacons to be Exemplary herein, the Assembly renews, and confirms the Act of Assembly 1694. made against Profaneness, Recommending that none be Ruling Elders, who make not Conscience of this unquestionable Duty ; And do likewise appoint, That in Case any Elders or Deacons shall neglect to Worship GOD in their Families by themselves, or others appointed for that Effect, that they be seriously admonished to amend, and if need be, rebuked for the same, and if notwithstanding of Admonitions and Rebukes of the Minister and other Elders, any Elder or Deacon continue obstinate in their Neglect : That such Elder or Deacon be removed from his Office by the Presbytery, and appoints

this Act to be read in all the Churches yearly; As also the said 13th Act of the Assembly 1694, against Profaneness, and that upon the first Sabbath of May.

Edinburgh, January 11. 1697.

THE General Assembly of this National Church, taking to their most serious Consideration, That notwithstanding of the weighty Commands, and dreadful Threatnings contained in the Scriptures of Truth, and the many laudable Christian Laws of this Nation, and the Acts of the General Assemblies of this Church, against all Impiety and Profaneness; Yet the open Outbreakings of Wickedness are not restrained, but GOD is daily dishonoured and provoked, the Profession of Christianity discredited, and the pernicious Infection of ill Example disseminated and spread abroad, by the abounding scandals of profane and idle Swearing, Cursing, Sabbath-breaking, profane Withdrawing from, and Contempt of Gospel Ordinances; Yea, opposing the dispensing of them, by hindring the planting of Churches,

Churches, and discouraging the Endeavours of others for calling and fixing a faithful Gospel-Ministry among them, *Mocking of Piety and Religion, and the Exercises thereof, Fornication, Adultery, Drunkenness, Excessive Tippling, Deism, Blasphemy, and other gross abominable Sins:* And whereas, not only did the General Assembly, by their Act *April 16, 1694* Recommend to all Ministers and Kirk-Sessions, carefully to apply to the several Magistrates of their Bounds, for putting the Acts of Parliament against Profaneness, in Execution; but likewise, this current Parliament hath by their Acts, Intituled, *Against Profaneness, June 15, 1693, June 28, 1695. and October 9, 1696.* Declared, That Ministers, Kirk-Sessions and Presbyteries, shall by themselves, or others in their Name, have good Interest to apply for, and pursue the Execution of the saids Acts; And albeit Execution is ordained to pass at the Instance of any Person whatsoever; yet it being especially incumbent upon Ministers, and Church Judicatories to hold Hand thereto. Therefore, that this National Assembly may not be wanting to their Duty,

in contributing their outmost Endeavours, for bearing down and punishing of all Immorality and Wickedness. They do in the first Place, in the Aw and Dread of the great GOD, who will not hold them guiltless, that break any of his Commandments, beseech, warn, and exhort all the People of this Church and Nation, to break off their Sins by Repentance, and seriously in the Fear of the LORD, to apply themselves, to a Sober, Conscientious, Christian and Circumspect Walk in all Manner of Conversation, as becomes the Professors of the Glorious Gospel of the Blessed GOD, and of that Religion, which is pure and undefiled, and as they would not incur the heavy Displeasure, and just Indignation of the Holy One, in being excluded for ever, from seeing his Face in Peace, and pull down his Temporal Judgments upon themselves, and upon the Land; And next, they do require all the Ministers of this Church, freely and faithfully to preach against the fore-mentioned enormous Sins, as the crying Sins of the Time, that People may be brought to a Conviction and Sense of their Hainousness and Danger, and may

B

restrain.

refrain, not only for Fear, but from Conscience. And further they do appoint, That Presbyteries and Kirk-Sessions do faithfully and impartially Exercise Church Discipline, against all such Scandalous Offenders, and use all suitable Means in dealing with their Consciences, to bring them to unfeigned Repentance and Reformation; and they seriously recommend to Ministers and Members of Kirk-Sessions, from a true Zeal for GOD, to hold Hand to the Delating, Informing against and Punishing of all Profane Transgressors, without Respect of Persons, by Civil Punishments, conform to the Acts of Parliament made in that Behalf, and that they record their Diligence in their Session Books, that the same may be seen by their Presbyteries, who are hereby required to make Enquiry therein, at their Visitations. And lest any may be found Backward in performing their respective Duties, from an Unwillingness to displease or disoblige Persons of Note, who may happen to be Guilty; The General Assembly earnestly Exhorts all Ministers and Elders, and all Christians to remember, That in this Matter they have to do

with the great and terrible GOD, whose Honour is to be preferred, and whose Wrath is to be feared, before all other Considerations whatsoever; And they Overture, that whatever Minister or Member of Session be found Faulty, in neglecting to pursue the foresaids Scandals in their Stations, the said Minister or Member of Session be Complained of and Censured by the Presbytery for the first Fault, and that the Censure be Recorded; And that the second Negligence be Delated to, and Censured by the Synod; And that for the third Neglect they be Censured by the Synod with Suspension, to be Recorded in the Synod Register. And albeit the General Assembly hath full Confidence in the Integrity and Zeal of all Honest Christian Magistrates, and that they will, with Firmness and Resolution, make Conscience of the Obligations of their Office, and faithfully discharge the Trust committed to them by GOD, and the Supreme Authority of this Nation; Yet because a Slackness, or Backwardness may fall out in some particular Places, and there hath been hitherto a most lamentable Defectiveness, in putting the Laws against

Profaneness to Execution, and some have refused to give Deputations and Commissions for that End, to Persons who have been duly Nominated and Presented to them : Therefore the General Assembly doth Recommend to each Minister or Kirk-Session, who shall find Cause to complain of a Magistrate for Negligence in Executing the said Laws, or for refusing Deputation and Commission to such Persons, as are duly Elected and Presented to them (from Parishes, where there is no ordinary Magistrate residing) conform to the above-mentioned Act of Parliament, *October 9. 1696.* That they acquaint their Presbyteries therewith, and that the said Presbytery, having used all previous Means in dealing with the Consciences of the Magistrate, without any good Effect, do with the Kirk Agent thereafter pursue the said Negligent, or refractory Magistrate, before the Lords of Council or Session, according to the foresaid Acts of Parliament. And lastly, That these Presents be read in all Churches within the Kingdom twice a Year from the Pulpit, to wit, upon the first Sabbath after *Whitsunday* and *Martinmas* yearly.

At Edinburgh, 30. January, 1699.

THE General Assembly taking to their Consideration the Overtures against Profaneness, past by the last Assembly January 24. 1698. Sess. 15. And having heard the Report of Commissioners present, from the several Presbyteries of this National Church, to whom the Consideration of the said Overtures were recommended; And the General Assembly being well and ripely advised thereanent, did by their Vote, and hereby do approve of these Overtures after-mentioned, whereof the Tenor follows.

1st, The General Assembly considering the lamentable Growth of Profanity, Ignorance and Irreligion, that is too manifest in this Land, and the woful Decay of the Life and Power of Godliness, with the small Success of the Gospel, that's to be observed every where at this Time, the General Assembly, in a deep Sense of these Things, and for the Remeeding of them, do in the first Place, in the Aw, and Dread of GOD, Beseech, Exhort and Require all Ministers, by the Coming of our
LORD

LORD JESUS CHRIST, and our gathering together unto Him, That they take heed to themselves, and to their Doctrine, and endeavour to be Ensamples to the People, in all Piety, Purity, Holiness, in all Manner of Conversation.

2. That they be Frequent and Fervent in Secret Prayer, for themselves, and the People committed to them, Joining sometime Fasting with Prayer. And the General Assembly recommends to Ministers, and Elders in their several Parishes, and Ministers in their several Presbyteries, to meet sometimes together in their Parishes, and Presbyteries respective, for private Fasting and Prayer, and Conference anent the State of the Church, and that Part of it, in which they have special Interest; with Respect to the Growth or Decay of Godliness, and Success of the Gospel therein.

3. That Presbyteries be more accurate in managing their privy Censures, and that a Day be set apart to that Purpose only, and spent in Fasting and Prayer together.

4. That Presbyteries be very Cautious in admitting Intrants to the Ministry, and

and be Accurate and Exact in the Trial, not only of their Literature, but of their Piety, Prudence, and former Godly Conversation, and Walk.

5. That Ministers be painful in Catechizing, frequent in Visiting of Families, and in private Personal Conference with these of their Charge, about the State of their Souls, and that Ministers be more frequent in Administration of the LORD's Supper, and always Edifying in their Converse and Discourse. and that they deal with Heads of Families to engage them to Piety, and a Care to reform their Families, and to set up, and to keep up the Worship of GOD therein; And in particular, that Ministers endeavour by all prudent and gaining Gospel Methods, to engage Persons of Honour and Power to fall in Love with Holiness, and reckon it, as indeed it is, their greatest Honour; And that in dealing with such of them, as are Vicious, an Humble and yet Holy Boldness and Zeal, be used in admonishing them, in Order to their Recovery: And that herein Presbyteries appoint some others of their Number, to concur with the

the Minister of the Place as may be most for Edification.

6. The General Assembly Recommends to the Kirk-Sessions and Presbyteries, the Vigorous, Impartial, and yet Prudent Exercise of Church Discipline against all Immorality, especially Drunkenness, and Filthiness, Cursing and Swearing, and profaning the LORD's Day, which too much abound: And that they apply to the Magistrate, for the Execution of the Good Laws, made against Immorality and Profaneness.

7. That seeing it is observed, That in Burghs, especially these of the greatest Resort, as *Edinburgh*, many sit too late in Taverns, especially on the *Saturday's* Night, and Men of Business pretend they do it for Relaxation of their Minds; through which some neglect the Publick Worship on the LORD's Day in the Forenoon; and others attend the Worship drowsily: Therefore the General Assembly recommends to all Ministers, where such sinful Customs are, to represent to the People, both publickly and privately, the Sin and Evil thereof, and to call them to Redeem that Time, which they have

free from Business, and to Employ it for
 Converse with GOD about their Souls
 State, and in Preparation for the Sabbath,
 which will yield more Delight, than all
 sensual Pleasures can do.

And the General Assembly Beseecheth,
 and Exhorteth all Magistrates of Burghs,
 to be assistant to Ministers, in Enquiring
 into, and Reforming such Abuses.

And likewise the General Assembly Re-
 vives the Act of the General Assembly,
 dated the 11th January 1697. Sess. 8. In-
 titled, *Act against Profaneness*, and ap-
 proves of the Overture therein contained,
 anent Censuring such Ministers and Mem-
 bers of Sessions, as are negligent in pur-
 suing Seandals.

And the General Assembly Recom-
 mends and Enacts, the punctual Observa-
 tion of the said Acts and Overtures, and
 Obedience thereto by all Presbyteries,
 Ministers, Elders and Sessions, as they are
 concerned, in their several Stations, as
 they will be answerable.

At Edinburgh, 8. May 1714. Sess. 3.

THE General Assembly finding, That
 albeit there hath been many ex-

collent Acts both of Parliaments and General Assemblies made for suppressing of Immorality and Vice, and that the Queen's Majesty by Her Royal Proclamation dated 18th August 1708 Years, hath required the punctual Execution of the good Laws made for Encouragement of Piety and Vertue, and punishing of Vice and Immorality, and hath appointed Her said Proclamation to be read from the Pulpits, at such Times as shall be found needful by the Presbyteries and Synods of the Bounds; Yet all Manner of Immorality does abound through this Nation, to the Dishonour of GOD, and the Scandal of our Holy Religion, which threatens us with severe Strokes and Judgments; Do therefore appoint, that Her Majesty's Proclamation of the Date foresaid, with the Abbreviate of the Laws subjoined thereto; As also the 13th Act of the General Assembly Anno 1694, 7th and 11th Acts of the General Assemblies 1697. and 7th Act General Assembly Anno 1699, be Re-printed in a small Volume, and that a Copy thereof be sent to every Parish and Kirk-Session, Presbytery, and Synod in Scotland, and do appoint the said Proclamation

clamation and Abbreviate to be read from the Pulpits of all the Churches in *Scotland*, upon the third LORD's Day of *August* next to come, before pronouncing of the Blessing; and the *General Assembly* recommends to Ministers on that Day to preach a Sermon suited to the Occasion, and do seriously exhort all the Members of this Church in their several Stations, to do what is required of them by the said Acts, and Her Majesty's foresaid Proclamation: But because that the too frequent reading of the foresaid Proclamation and Abbreviate has been found inconvenient; Therefore the *General Assembly* leaves it to the several Synods and Presbyteries, after the first reading thereof, to give Orders about the Time of reading it afterward, as often, and at such Times, as they shall judge it needful and convenient; And ordains Synods and Presbyteries to record their Diligence in this Matter in their Books.

GO

By

By the QUEEN

A PROCLAMATION,

For the Encouragement of Piety and Vertue,
and for the Preventing and Punishing
Vice, Profaneness, and Immorality.

ANNE R.

ANNE, by the Grace of GOD, Queen
of Great Britain, France and Ireland,
Defender of the Faith, To Our
Lyon King at Arms, and his Brethren,
Heralds, Pursevants, Messengers at Arms,
Our Sheriffs in that Part conjunctly and
severally, specially constitute, Greeting;
Forasmuch as We considering, That it is
an indispensable Duty upon Us, to be care-
ful above all other Things, to Preserve
and Advance the Honour and Service of
Almighty GOD, and to Discourage and
Suppress all Vice, Profaneness, Debauch-
ery, and Immorality, which are so high-
ly Displeasing to GOD, so great a Re-
proach to Our Religion and Government,
and (by the frequent ill Examples of

the Practisers thereof) have so fatal a Tendency to the Corruption of many of Our Loving Subjects, otherwise Religiously and Virtuously Disposed, and which (if not timely remedied) may justly draw down the Divine Vengeance on Us and Our Dominions ; We also humbly Acknowledging, That We cannot expect the Blessing and Goodness of GOD (by whom Kings and Queens Reign) and on which We entirely Rely, to make Our Reign Happy and Prosperous to Our self and People, nor hope for the Divine Assistance to Deliver Us from the great and imminent Dangers which Our Kingdoms, and the true Protestant Religion, (Established among Us) are Threatned with, without a Religious Observance of GOD's holy Laws ; To the Intent therefore that Religion, Piety, and good Manners may (according to Our most Hearty Desire) Flourish and Increase under Our Administration and Government, We have thought fit (by the Advice of Our Privy Council) to issue this Our Royal Proclamation, and do hereby Declare Our Royal Purpose and Resolution to Discountenance and Punish all Manner of Vice, Profaneness, and Im-

morality in all Persons of whatsoever Degree or Quality within Our Dominions; And that for the greater Incouragement of Religion and Morality, We will, upon all Occasions, distinguish Persons of Piety and Vertue by Marks of Our Royal Favour: And We do expect and Require that all Persons of Honour, or in Place of Authority, will give *good Example* by their own Vertue and Piety, and to their utmost contribute to the Discountenancing of Persons of Dissolute and Debauched Lives, that they being by these Means reduced to Shame and Contempt, for their Loose and Evil Actions and Behaviour, may be thereby also Enforced the sooner to Reform their Evil Habits and Practices; and that the Visible Displeasure of good Men towards them may, as far as is possible, Supply what the Laws probably cannot altogether prevent. And as We have formerly Issued forth Our Royal Proclamations concerning these Matters in *England*, and Dominions thereto belonging, so We now, for that Part of Our United Kingdom called *Scotland*, do hereby strictly Enjoin and Require all Lords of Council

and Session, Sheriffs, and their Deputies, Stewarts and their Deputies, Baillies of Bailliaries and their Deputies, Magistrates of Burghs, and Justices of Peace, within whose Bounds and Jurisdictions any of the Sins of Swearing, Cursing, Drunkenness, Fornication, Adultery, Profanation of the LORD's Day, Mocking and Reproaching of Religion, and other Acts of Immorality and Profanity, shall happen to be Committed, to put all Laws and Acts of Parliament thereagainst to Exact and Punctual Execution at all Times, and against Persons of all Degrees, at the Instance of any Person whatsoever who shall pursue the same, conform to a Proclamation containing an Abbreviate of the said Laws, Issued out by Our late Dear Brother King William, of ever Blessed Memory, and his Privy Council, dated at *Edinburgh* the Five and twentieth Day of *January*, One thousand six hundred ninety eight, in all Points. And further, We Require all whom it concerns, to observe what is Enjoined by the *Eleventh* Act of King William's Parliament, dated the One and thirtieth Day of *January*. One thousand seven hundred and one, Intituled,

titled, *An Act against Profaneness.* And particularly for the more effectual proceeding herein, We do Require and Command all Our Lieges and Justices of the Peace mentioned in that Act, to give all due *Encouragement* to Persons who *Inform* of the Breaches of Our good Laws against Vice and Immorality, and not to put such Informers or Witnesses to long and Expensive Attendance in that Matter. And Sheriffs and Stewarts, and their Deputies, Magistrates of Burghs, and Justices of Peace, are Required to take Care, that a fixed Time and Place, *once every Month at least*, in each Parish be Appointed for holding Courts by themselves or their Deputies, or a Baillic to be Appointed according to the Act of Parliament, dated the Ninth of October, One thousand six hundred ninety six; And that Clerks Fiscal and other Officers of Court be Nominated for Prosecuting of Persons guilty of Immorality, and Ordained to act their Parts in the Premises, that all concerned may know when, where, and whom to attend. And *Presbyteries, Ministers and Church-Sessions* are required to *Nominate* fit Persons within their

their Bounds respectively, to take Notice of
Vice and Immorality, and to Delate and
 Prosecute those guilty thereof. And the
 Judges and Justices of Peace are hereby
 Ordained to allow to the Persons who shall
 be Named for Prosecution, as above, out
 of the Fines, not only the whole Ex-
 pences, but also such further Rewards as
 the said Judges or Justices of Peace shall
 think fit, Certifying, That if any of the
 said Judges or Justices of Peace shall Re-
 fuse or Neglect to put the said Laws in
 Execution, upon the Application of any
 Minister or any other Person informing
 or offering sufficient Probation, he shall be
 liable and subject *Toties Quoties* to a Fine
 of One hundred Pound Scots, for the Use
 of the Poor of the Parish where the Scandal
 happened, to be pursued for in the Terms
 in the said Act, as also conform to the
 Twenty third Act of King *William's* Parlia-
 ment, dated the Twelfth of *June*, One
 thousand six hundred ninety three, We
 require all Magistrates, Judges and Offi-
 cers of Justice, to give all due Assistance
 for making the *Sentences* and *Censures* of
 the *Church* and *Judicatories* thereof, to be
 D obeyed,

obeyed, or otherwise effectual, as accords
 against scandalous and Contumacious Per-
 sons. And to the End that all Vice and
 Debauchery may be prevented, and Re-
 ligion and Vertue practised by all Officers,
 private *Soldiers*, *Mariners* and *others*, We
 do hereby strictly Charge, Command and
 Require all the Commanders and Officers
 of Our Forces by Sea and Land, and others
 in Authority, That they do take Care to
 avoid all Profanity, Debauchery and other
 Immoralities, and that by their Virtuouse
 and Pious Lives and Conversations, they
 do set good Examples to all such as are
 under their Care and Authority; And
 likewise, That they take Care of, and In-
 spect the Behaviour of all such as are under
 them, and see that they attend Divine
 Worship duly upon the LORD's Day, and
 also submit to the Minister's Examination,
 and to Church-Discipline, and to punish
 all those who shall be Guilty of the Of-
 fences aforesaid, and do not Observe good
 Order. And further We Command and
 Require the Judges Ordinary and Justices
 of Peace of the Bounds where any of Our
 Soldiers are Quartered, or Mariners lie,

that

that upon Complaint by any of Our Liedges against the said Soldiers and Mariners for Immoralities, or other Disorders; The said Judges and Justices exemplarily punish the said Mariners and Soldiers therefore: And We Require their Officers, to *Sift* them before the said Judges and Justices of Peace for that Effect, according to the Ninth Act of the Parliament, One thousand six hundred ninety eight. And all Our Subjects, whom it may concern, are Required to be very Vigilant and Strict in the Discovery, and the effectual Prosecution and Punishment of all Persons who shall be Guilty of any of the Sins above-mentioned, or other Dissolute, Immoral or Disorderly Practices. And lastly, We do hereby Direct and Command all the Judges above-mentioned, and Justices of Peace, to give strict Charges at their respective Courts and other Meetings, for the due Prosecution and Punishment of all Persons that shall presume to Offend in any the Kinds aforesaid, and of all Persons that, contrary to their Duty, shall be *Remiss* or *Negligent* in putting the said Laws in Execution, and that they do, once every

Quarter of a Year, cause this Our Proclamation to be publickly read in open Court immediately after Fencing thereof. And all our Judges, Justices of Peace, and other Subjects, are hereby Required to Observe Our Laws and Acts of Parliament concerning the Premises, and to do their Parts therein, as they will be answerable for the Ill Consequences of their Neglect in that Matter. Our Will and Pleasure is, and We strictly Charge and Command, That incontinent, these Our Letters seen, ye pass to the Market-Cross of *Edinburgh*, and to the remanent Market-Crosses of the Head-Burghs of the several Shires and Stewartries of that Part of Our United Kingdom called *Scotland*, and in Our Name and Authority make Publication hereof, and of the said Abbreviate of Our Acts of Parliament against Profanity and Vice, that none may pretend Ignorance ; And Ordains these Presents, with the Abbreviate to be Printed, and Our Solicitor to Dispatch Copies thereof to the Sheriffs of the several Shires, Stewarts of Stewartries, and their Deputies or Clerks, that they may cause publish the same at the Market-
Crosses

Crosses of the said Head-Burghs, upon the Receipt thereof, and immediately thereafter send a Copy to each Minister and Parish within the respective Jurisdictions, to the Effect the same may be Read and Intimate in the Parish-Churches upon the LORD's Day following the aforesaid Publication at the Market-Crosses, and thereafter at such Times as shall be found Needful by the Presbyteries or Synods of the Bounds.

Given at Our Court at Kensington, the Eighteenth Day of August, in the Seventh Year of Our Reign.

GOD save the Queen.

List and Abbreviate of the Laws against Profaneness, and for Suppressing of Vice and Immorality.

I*mprimis, Act 22. Charles Second, Parl. 1. Sess. 1. Intituled, Act against the Crime of Blasphemy. That whosoever not being distracted in his Wits, shall rail upon, or curse GOD, or any of the Persons*

sons of the Blessed Trinity, shall be pro-
 cessed before the Chief Justice, and being
 found Guilty, shall be punished with
 Death: As also whosoever shall deny
 GOD, or any of the Persons of the Ble-
 ssed Trinity, and obstinately continue there-
 in, being processed and found Guilty, shall
 be punished with Death. *Item*, The Act
 of the first *Parl. W. and M.* Session fifth,
Cap. Eleventh, ratifying the foresaid Act;
 And further Statuting, That whoever
 hereafter shall in their Writing or Dis-
 course, Deny, Impugn or Quarrel, Argue
 or Reason against the Being of GOD, or
 any of the Persons of the Blessed Trinity,
 or the Authority of the Holy Scriptures of
 the Old and New Testament, or the Pro-
 vidence of GOD, in the Government of
 the World, shall for the first Fault be
 punished with Imprisonment, ay and while
 they give publick Satisfaction in Sack-
 cloth to the Congregation in which the
 Scandal was committed; and for the second
 Fault, the Delinquent shall be fined in a
 Years valued Rent of his real Estate, and
 the twenty Part of his free personal Estate,
 the equal half of which Fines to be ap-
 plied

plied to the Poor of the Parish where the Crime shall be committed, and the other half to the Informer, besides his being imprisoned, ay and while he again make Satisfaction as above; And for the third Fault, he shall be punished by Death, as an obstinate Blasphemer; And all Magistrates and Ministers of the Law, and Judges in this Kingdom, are Authorized and Required to put this Act in Execution as to the first Fault, as are all Sheriffs, Stewarts, Baillies of Bailliaries and Regalities and their Deputes, and Magistrates of Burghs, to put the same in Execution as to the second Fault; Remitting the Execution thereof as to the third Fault, to the Lords of Her Majesty's Justiciary. *Secundo*, All Laws and Acts of Parliament made against Cursing and Swearing, as Act *Q. Mary Parl. 5. Cap. 16.* whereby it is Statute, That whosoever swears abominable Oaths, and detestable Execrations, shall be punished with the pecuniary Mulcts, and other Pains contained in the said Act: *Act James 6. Parl. 7. Cap. 103.* Ratifying the foresaid Act, with an Augmentation of the Pains; and that Consors be appointed

appointed in the Market Place of all Bur-
 rows, and other publick Fairs, with Power
 to put the Swearers of abominable Oaths
 in Ward, while they have paid the saids
 Pains, and find Surety to abstain in Time
 coming; And that by Direction and Com-
 mission of the Sheriffs, Stewarts, Baillies,
 Provosts, Baillies of Burrows, Lords of
 Regalities, and other ordinary Officers;
 and that all House-holders delate to the
 Magistrates, the Names of the Transgres-
 sors of this present Act within their Houses,
 that they may be punished, under the Pain
 to be esteemed and punished as Offenders
 themselves; And that if the saids Magi-
 strates be remiss or negligent in the Exe-
 cution of this Act, they shall upon Com-
 plaint be called before Us, and Our Privy
 Council, and committed to Ward during
 Pleasure, and find Surety under great Pains,
 at Our sight, for the exact Diligence in
 executing the said Act thereafter. *Act*
Charles 2d. Parl. 1. Sess. 1. Cap. 19. Ra-
 tifying and Approving all Acts of Parlia-
 ment against all Manner of Cursing and
 Swearing; And further declaring, That
 each Person who shall Blaspheme, Swear
 or

or Curse, shall be liable in the Pains following ; Each Nobleman in twenty Pound Scots, each Baron in twenty Merks, each Gentleman, Heretor or Burgefs in ten Merks, each Yeoman in fourty Shilling Scots, each Servant in twenty Shilling Toties Quoties, each Minister in the fifth Part of his Years Stipend ; and if the Party Offender be not able to pay the Penalties foresaid, then to be exemplarily punished in his Body, according to the Merit of his Fault : And this Act is again Ratified *Charles 2d. Parl. 2d. Sess. 3d. Cap. 22.* which contains a distinct and particular Method, how and by whom, it shall be execute. 3. All Laws and Acts of Parliament for Observation of the Sabbath or LORD's Day, as Act *James 6. Parl. 6. Cap. 71.* That there be no Markets nor Fairs holden upon the Sabbath-Day, nor yet within the Kirk or Kirk-yards that Day, nor any other Day ; and that no Handy-labour be used upon the Sabbath-Day, under the Pain of ten Shilling Scots. And that no Gaming, Playing, passing to Taverns and Ale-houses, or selling of Meat or Drink, or wilful remaining from
 E the

the Parish Kirk in Time of Sermon, or Prayers, upon the Sabbath-day be used, under the Pains of twenty Shilling *Scots*, and who refuse, or are unable to pay the said Pains, shall be put and holden in the Stocks, or such other Engine devised for publick Punishment by the Space of twenty four Hours; And this Act as to the discharging of Fairs and Markets holden on Sabbath-days, Ratified *James* the 6th *Parl.* 13. *Cap.* 159. and again Ratified against these who profane the Sabbath-day, by selling or presenting Goods to be sold upon the said Day. And the Pain of the Third Transgression, declared to be Escheat of their haill Goods, and Punishment of their Persons at Our Will; *Ja.* 6. *Parl.* 14. *Cap.* 198. Item, Act 18. *Charles* 2d. *Parl.* 1st. Intituled, *Act for the due Observation of the Sabbath-day*, Ratifying and Approving all former Acts of Parliament made for Observation of the Sabbath-day, and against the Breakers thereof, and discharging all going of Salt-pans, Mills or Kilns, under the Pain of twenty Pounds *Scots*, to be paid by the Heretors and Possessors thereof; and al

Salmond

Salmond-fishing, Hireing of Shearers, carrying of Loads, keeping of Markets, or using of Merchandize on the said Day, and all other Profanations thereof, under the Pain of ten Pounds *Scots*, the one half whereof to be paid by the said Fisher, and Shearer hired, and the other half by the Persons hireing, and if the Offender be not able to pay the saids Penalties, that he be exemplarly punished in his Body, according to the Merit of his Fault; and this Act Ratified *Charles 2d. Parl. 2d. Sef. 3d. Cap. 22. Quarto*, The Act *Charles 2d. Parl. 1st. Sef. 1. Cap. 20.* Intituled, *Act against Cursing and Beating of Parents*, whereby it is Statute, That whosoever, Son or Daughter above the Age of sixteen Years, not being distracted, shall Beat or Curse either their Father or Mother, shall be put to Death without Mercy; and such as are within the Age of sixteen Years, and past the Age of Pupillarity, to be punished at the Arbitrement of the Judge, according to their deserving. *Quinto*, All Acts against Drunkards and excessive Drinking, such as the Act *James 6. Parl. 22. Cap. 20.* Whereby it is Statute, That all Per-

sons convict of *Drunkenness*, or of *Haunting of Taverns and Ale-houses* after Ten Hours at Night, or any Time of the Day, except in the Time of Travel, or for ordinary Refreshment, shall for the first Fault pay three Pounds, or if unable, or refusing, be put in *Joggs* or Prison for the Space of six Hours; For the second Fault five Pounds, or if unable, or refusing, to be kept in Stocks or Prison for the Space of twelve Hours; And for the third Fault, to pay Ten Pounds, or in Case foresaid to be kept in Stocks or Prison for the Space of twenty four Hours: If they transgress thereafter, to be committed to Prison till they find Caution for their good Behaviour.

Item, the Act Charles 2d. Parl. 1. Sess. 1. Cap. 19. Ratifying all former Acts against the Crime of excessive Drinking, Declaring, That whosoever shall drink unto Excess, shall be liable, each Nobleman in 20 lib. Scots, each Baron in 20 Merks, each Gentleman, Heritor or Burges in 10 Merks, each Yeoman in 40 Shilling, each Servant in 20 Shilling Scots Toties Quoties; each Minister in the fifth Part of his yearly Stipend, and that the Offender unable to pay the

the foresaids Penalties, to be exemplarily punished in his Body, according to the Merit of his Fault. Sexto, The Laws and Acts of Parliament made against Adulterers, as Queen Mary, Parl. 5. Cap. 20. whereby it is Statute, That manifest and incorrigible Adulterers after the Process of Haly-Kirk, swa far as the samen may extend, is used upon them, for their Disobedience and Contemption, be denounced Rebels and put to the Horn, and all their Moveables in-brought as Escheat, and no Appellation interponed frae the said Censures of Haly-Kirk to suspend the Horning. Act Q. Mary, Parl. 9. Cap. 74. That all notour and manifest Committers of Adultery be punished with all Rigor unto the Death, as well the Woman as the Man, after due Monition made to abstain frae the said notour Crime, and that for other Adultery, the Laws and Acts made thereupon of before be put to Execution with all Rigor. And the Act Ja. 6. Parl. 7. Cap. 105. whereby it is declared, That it shall be judged notour and manifest Adultery, worthy of the Pain of Death, whoever has Bairns one or mae procreate betwixt the Persons Adulterers,

Adulterers, or when they keep Company in Bed together notoriously known, or when they are suspect of Adultery and duly admonished by the Kirk, to abstain and satisfie the Kirk by Repentance and Purgation, yet contemptuously refusing, are Excommunicate for their Obstinacy. Septimo, All Laws and Acts of Parliament made against Fornication, as Act Ja. 6. Parl. 1. Cap. 13. Statuting, That who shall commit the filthy Vice of Fornication, shall for the first Fault, as well the Man as the Woman, pay the Sum of fourty Pounds, or then both he and she shall be Imprisoned for the Space of eight Days, their Food to be Bread and small Drink, and thereafter presented to the Market-place of the Town or Parish bare-headed, shall there stand fastned, that they may not remove for the Space of two Hours; For the second Fault the Sum of one hundred Merks, or then the fore-named Days of their Imprisonment shall be doubled, their Food to be Bread and Water allannerly, and thereafter shall be presented to the Market-place, and the Heads of both the Man and the Woman to be Shaven. And for the third Fault, one hundred Pounds, or else the

the above Imprisonment to be Tripled, their Food to be Bread and Water allannerly; And thereafter to be taken to the deepest and foulest Pool of Water of the Town or Parish, and there to be thrice Doucked, and then banished the said Town and Parish for ever, and how oft any Person shall be convict thereafter of the said Vice of Fornication, that so oft the third Penalty be execute upon them. Item, The Act Charles 2d. Parl. 1. Sess. 1. Cap. 38. Impowering the Justices of Peace to put in Execution Acts of Parliament, for punishing the Persons guilty of Fornication, and that they cause them pay the Pecunial Sum following: Each Nobleman for the first Fault, four hundred Pounds; Each Baron two hundred Pounds, each other Gentleman or Burghess, one hundred Pounds, every other Person of inferior Quality ten Pounds Scots Money, and that these Penalties be doubled Toties Quoties, according to the Relapses, and Degrees of the Offence, and Quality of the Offenders; And that they be paid not only by the Man, but also by the Woman according to her Quality, and the Degree of her Offence,

the

the one without Prejudice of the other
Item, the said Act Charles second, Parlia-
ment first, *Session* first, *Cap.* thirty eight,
Statutes; That the Justices of Peace put
in Execution all Acts of Parliament for
punishing all Persons who shall be Mockers
or Reproachers of Piety, or the Exercises
thereof, and cause them pay the Penal-
ties contained in the fore-mentioned Acts
of Parliament against profane Swearing.
Item, the Act of the 1st Parliament, King
William, *Session* fifth, *Cap.* thirteenth, In-
tituled, *Act against Profaneness*, strictly
requiring and enjoining, that all Sheriffs
and their Deputes, Stewarts and their De-
putes, Bailties of Bailliaries and Regalities,
and their Deputes, Magistrates of Burghs
Royal, and Justices of Peace within whose
Bounds any of the saids Sins of Cursing,
Swearing, Drunkenness, Fornication, Pro-
fanation of the LORD's Day, and Mock-
ing and Reproaching of Religion shall
happen to be committed, to put the saids
Acts to exact and punctual Execution at
all Times, without Necessity of any Dis-
pensation, and against all Persons, whether
Officers, Soldiers or others without Ex-
ception;

ception; Certifying, that such of the said Judges as shall Refuse, Neglect, or Delay to put the Laws made against the said Sins in Execution, upon Application of any Minister or Kirk Session, or any Person in their Name offering Information, and sufficient Probation, shall *Toties Quoties* be subject and liable to a Fine of an hundred Pound *Scots*, for which they may be pursued at the Instance of the Agent for the Kirk, or Minister of the Parish by summar Process, without the Order of the Roll.

Item, The twenty one Act of the second Session of the current Parliament, dated the Nineteenth of July, One thousand six hundred ninety, Intituled, *Act anent Murdering of Children*, whereby it is Statute, That if any Woman shall conceal her being with Child during the whole Space, and shall not call for, and make Use of Help and Assistance in the Birth, the Child being found Dead or Amissing, the Mother shall be holden and repute the Murderer of her own Child, tho' there be no Appearance of Bruise or Wound upon the Body of the Child. All which Acts above-mentioned are hereby ordered to be published only

for Superabundance, and the better Intimation of our Liedges, without the least Derogation to other Acts or Laws not published in this Matter.

ACT of Parliament against Profaneness.

January 31. 1701.

OUR SOVEREIGN LORD, for the better and more effectual repressing of Profaneness and Immorality, with Advice and Consent of the Estates of Parliament, Ratifies, Renews and Revives, all former Laws and Acts of Parliament made against Drunkenness, Sabbath-breaking, Swearing, Fornication, Adultery, and all Manner of Uncleaness, Mocking and Reproaching Religion, and the Exercise thereof, and generally all other Laws made against Profaneness, and particularly without Prejudice of the said Generality, Ratifies and Revives the Act of the ninth Parliament, Queen Mary, Cap. 74. Intituled, *Act anent Adultery*; As also the Act of the seventh Parliament, Ja. 6. Cap. 105. Intituled, *The Explanation of the Act touch-*

ing notour and manifest Adultery. And Ordains the same to be put to strict and and vigorous Execution in all Points ; As also Ratifies and Approves the Acts following, *Viz.* The Act of Parliament 1672, Intituled, *Act against Profaneness*, whereby all Members of His Majesty's Privy Council, or Lords of Session, with all Judges Ordinary, having their Residence, or keeping Courts in any Parish, are Ordained to Execute, or cause Execute the said Laws against such Delinquents therein, as shall be delated to them by the Kirk Sessions or other Church Judicatories, with Power to the Kirk-Session and Heretors to Name a Collector of the Fines ; As also where none of the foresaid Persons in Authority reside, to Nominate a Person Resident within the Parish, whom they shall offer to the Judge Ordinary of the Bounds, to the End he may grant them a Deputation to the Effect foresaid ; As likewise to modifie and appoint such Fees to the said Collectors out of the said Fines, as they shall find just, and that the Remainder of the said Fines be applyed for the Use of the Poor, in Manner specified in the said Act. The Act of Parliament 1602

also Intituled, *Act against Profaneness*, whereby every Presbytery within this Kingdom, is Impowered, and Ordained to appoint one or more within their respective Bounds, to take Notice of all Vices and Immoralities, and to delate and prosecute the Persons guilty, conform to the Tenor of the former Acts, and allowing to them out of the Fines, not only their whole Expences, but such Rewards as the Lords of Privy Council shall think fit ; The Act 1695, likewise Intituled, *Against Profaneness* : Whereby all the Judges Ordinary, and their Deputes, and all Justices of Peace within whose Bounds any of the said Offences shall happen, are authorized and enjoined to put the said Acts against Profaneness to exact and punctual Execution at all Times, without Necessity of any Dispensation, and against all Persons, whether Officers, Soldiers, or others, without Exception, with Certification, that any of the said Judges that shall Refuse or Neglect to put the said Laws in Execution upon the Application of any Minister Kirk-Session, or any Person in their Name informing, and offering sufficient Probation, he shall be liable and subject Totie

Quoties to a Fine of One hundred Pound Scots, for the Poor of the Parish where the Scandal happned ; Declaring that the Agent for the Kirk, the Minister or Kirk-Session of the Parish, or any having their Warrant, shall have good Interest to pursue before the Lords of Session, any of the said Judges refusing or neglecting as said is, and that the said Refusal or Neglect shall be sufficiently proven by an Instrument under a Notar's Hand, and Witnesses subscribing and deponing, that the said Information was given, and Probation offered, as the said Act more fully bears. And lastly, the Act 1696, also Intituled, *Act against Profaneness*, in the liail Heads, Articles and Clauses thereof, all which Laws and Acts of Parliament, generally and particularly above-narrated, His Majesty with Advice and Consent foresaid, Ordains to be put to strict and punctual Execution in all Points ; And further, all Ministers and Kirk-Sessions, and Heretors concerned, are hereby Required and Ordained to do and act their Parts faithfully in the Premises, as they will be answerable, and in Case any Person shall be Excommunicate for not answering, or for not obeying

and satisfying the Church when proceſſed before them for Profaneneſs and Immorality, or in Caſe that any Perſon cited on the Account foreſaid, ſhall be declared by the Church to be Contumacious, then, and in either of theſe Caſes, His Maſteſty with Advice and Conſent foreſaid, *Statutes and Ordains*, That upon Application made by a Preſbytery, Provincial Synod or General Aſſembly, to His Maſteſty's Privy Council, repreſenting the ſame, the Lords of Privy Council ſhall repreſent the ſaid Matter to His Maſteſty, that he may be duly informed anent the foreſaid Perſon ſound Guilty or Contumacious as ſaid is, as a Perſon not fit to be imployed, or continued in any Place of Publick Truſt Civil or Military.

ACT for procuring the better Execution of former Acts againſt Popery, and for preventing the Growth thereof.

Edinburgh, 14. May, 1714.

THE General Aſſembly for preventing the Growth of Popery, do enjoin Miniſters and Members of Kirk.

Sessions, to keep a watchful Eye over
 Papists, and deal with them for their Con-
 viction, according to the 8th Act of the
 General Assembly *Anno* 1707, and care-
 fully to give in yearly to the Presbytery
 Lists of their Names and Designations,
 particularly of Popish Bishops, Priests,
 Jesuits, and other Traffickers, who go
 about to pervert People from the Truth,
 and of Apostates from the true Religion,
 with an Account of their Popish Meetings,
 Times and Places thereof, and Witnesses
 for proving the same, with the Names of
 Children under Popish Parents, Tutors,
 Curators, or Governours, and of the nearest
 Protestant Relations of such Children; and
 likewise of all Papists, who keep Schools,
 or teach any Science, Art, or Exercise,
 and also of Protestants who keep Popish
 Servants, and of all Papists who have suc-
 ceeded to Lands or Heretages within their
 Bounds since the Year 1700, and of all
 other Contraveeners of the 3d Act of the
 Parliament held that Year, Intituled, *Act*
for preventing the Growth of Popery; and
 Presbyteries are strictly enjoined to give in
 yearly upon the 21st Day of *February*, full
 Informations of these Things, subscribed by
 their

their Moderator and Clerk, to the Justices of the Peace in the several Shires within which the said Presbyteries do ly, and Papists reside or haunt, at their Quarter Sessions, or Meetings, and to the other Judges ordinary within the Bounds of the said Presbyteries, in Order to due Trial: And appoints Presbyteries to send another authentic Copy of the said Informations, subscribed as said is, to the Procurator or Agent for the Church, to be by them laid before the Lords, Justice General, or Justice Clerk, or Her Majesty's Advocate, or Solicitors; And the Assembly further appoints Presbyteries to give in also Copies of the said Informations to their Synods, according to former Acts of Assembly, and ordains Synods to call for the same from Presbyteries, and record their Diligence herein in their Books, that the General Assembly may see it, and give such Orders thereanent, as they shall judge proper.

F I N I S.